

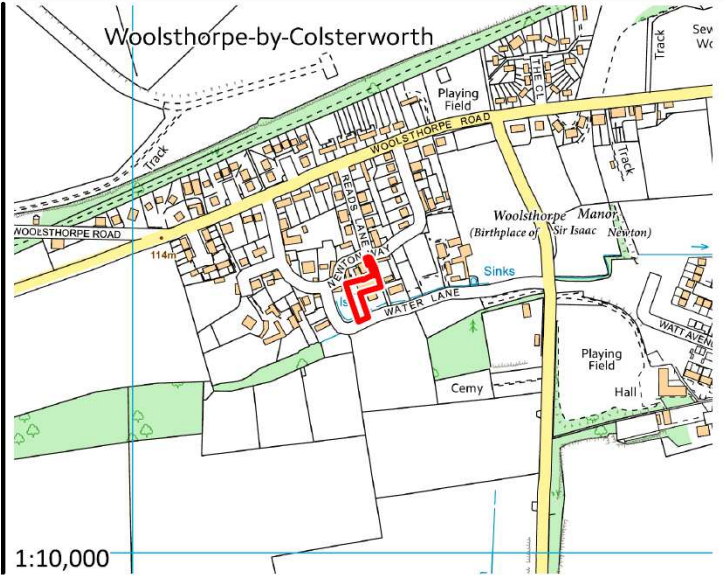
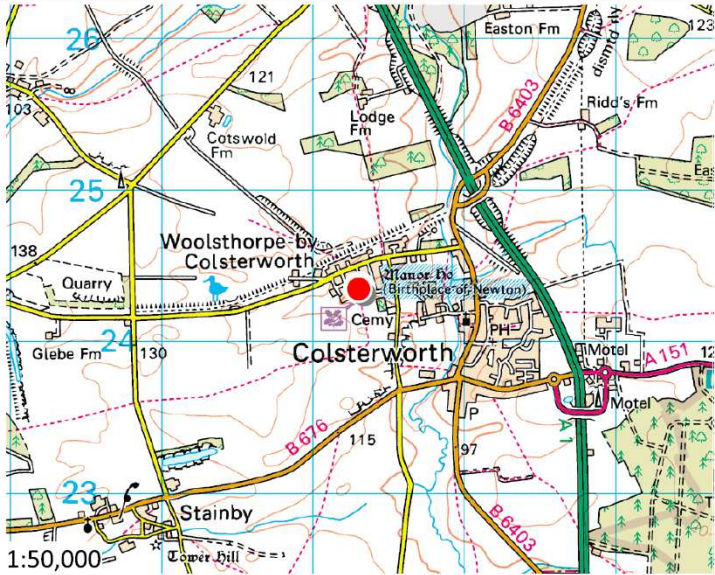
Applicant	Ken Smithers Stone Lodge, 33A, Newton Way, Woolsthorpe by Colsterworth, Grantham, NG33 5NR
Agent	
Proposal	Erection of outbuildings and terracing of garden
Location	33A, Newton Way, Woolsthorpe-by-Colstherworth, Grantham, Lincs, NG33 5NR
App Type	Householder Development
Parish(es)	Colsterworth
Reason for Referral to Committee	The application has been referred to the committee by the Authorised Officer as the application is considered to be locally controversial.
Recommendation	Approved subject to condition(s)

Key Issues

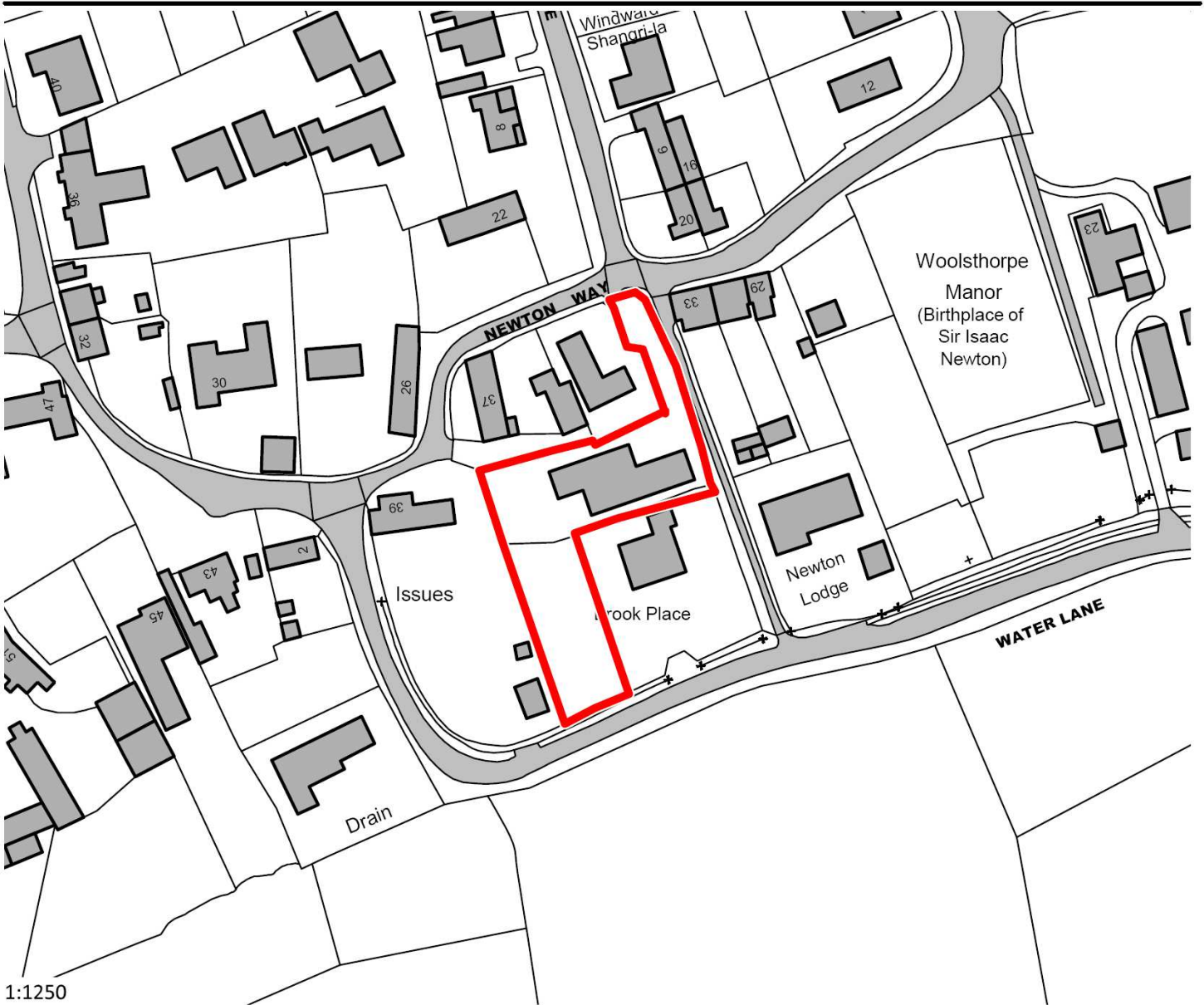
- Impact on Conservation Area
- Impact on occupants of neighboring dwellings

Technical Documents Submitted with the Application

- Site Location Plan
- Elevations of terracing, site sections and block plan
- Elevations and floor plan of outbuildings.



Site Boundary Plan



Key

- Application Location
- Application Boundary

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REPORT

1.0 Application Category

1.1 This application is categorised as a Householder application.

2.0 Reason for Referral to Committee

2.1 The application has been referred to the committee by the Authorised Officer as the application is considered to be locally controversial.

3.0 The Site

3.1 The application property is located in an elevated position within a relatively large plot on gently sloping land on the northern side of Water Lane, a narrow thoroughfare on the southern edge of the village.

3.2 The site is occupied by a detached bungalow of buff brick construction and is within the Woolsthorpe by Colsterworth Conservation Area. It is also some 50 metres to the west of the group of listed buildings comprising Woolsthorpe Manor, the birthplace of Isaac Newton.

3.3 Due to the nature of the works and there being a dwelling between the application site and the Manor, the site has not been advertised as affecting the setting of a Listed Building.

3.4 The proposed outbuildings and part of the terracing is built on land that has been subdivided from the adjacent bungalow. There is no change of use required as the land is classed as domestic garden land.

4.0 The Proposal

4.1 Planning permission is sought by the occupier of 33A Newton Way for the erection of an outbuilding and terracing of garden. The outbuilding measures 2.6 metres in height at its highest point and is 7.3 metres in length with a width of 3.0 metres.

4.2 The outbuilding is to be divided into two parts, one part to be used as a domestic dog kennel and the other a garden shed. To be attached to the outbuilding is a cage used to house the keeping of birds, there is also a green house that will be situated to the front west of the garden.

4.3 The terracing of the garden area involves the erection of retaining walls, faced in stone and surrounded by 1.5 metre timber fencing, to enclose an irregular shaped area between the outbuilding and the adjacent bungalow, Brook Place.

4.4 Upon site inspection it was noted that works have commenced on site and close boarded timber fencing has been erected along the site boundaries along Water Lane after discussions with the applicant this fencing has been reduced in height to 2.0 metres so that it comes within permitted development limits and does not form part of the current application.

5.0 Evaluation

5.1 Main Issues for consideration are

- Impact on surrounding Conservation Area
- Residential amenities

5.2 Impact on Conservation Area

5.2.1 The proposed outbuilding is to be located in the north-west corner of the site. It is proposed to be constructed of stone and will have a pantile roof covering, the retaining walls forming the terracing of the garden are also to be faced in stone. Stone and pantiles are a common material of buildings in the Conservation Area, so the outbuilding will not have an adverse impact on the character or appearance of designated Area nor will it affect the setting of Woolsthorpe Manor.

5.2.2 There has been objection from local residents with regard to the impact on Heritage assets. However, notwithstanding the concerns of the objectors, it is considered on balance that the use of materials found within the existing streetscene reduces the potential impacts of the development and would therefore preserve the character and appearance of the surrounding conservation area.

5.2.3 This coupled with the distance to Woolsthorpe Manor being approximately 50 metres away, and given that there is an existing dwelling between, it is considered that there is sufficient separation distance to Woolsthorpe Manor to ensure no significant detrimental impact on the listed buildings.

5.2.4 The terracing of the garden and the erection of retaining walls, faced in stone and surmounted by 1.5 metre timber fencing, to enclose an irregular shaped area between the outbuilding and the bungalow, again should also not have an adverse impact on the designated Area or setting of Woolsthorpe Manor mainly due to the use of sympathetic materials and the limited extent of the works.

5.3 Residential Amenity

5.3.1 Whilst it is acknowledged that the bungalow known as Brook Place is currently occupied by a family member of 33A Newton Way, this is not a material consideration for the proposal and screening is to be provided to separate the two plots and protect the amenity of both existing and future occupants of both sites.

5.3.2 Boundary treatmentsexistaround the boundary of the western elevation that screen the majority of the outbuildings and all of the garden area from the neighbouring dwelling ensuring that the proposal does not overlook any nearby residential private amenity space.

5.3.3 Whilst located adjacent to the Western boundary of the site, there remains sufficient separation distance of approximately 13 metres from the proposed outbuilding to the closest point of the nearby neighbouring property Number 39 Newton Way, this coupled with the double skin brick lining of the building ensures that the occupants of neighbouring dwellings are not significantly affected by potential noise.

5.4 Other Matters raised by members of the public

5.4.1 Removal of Hedges not in accordance with Character Appraisal for Woolsthorpe by Colsterworth Conservation Area.

Whilst it is the preference to have natural borders around a site within a Conservation Area the Local Planning Authority has no powers to retain a hedgerow solely because it is located within a Conservation Area. The removal of a hedgerow does not trigger the requirement for a notification like trees do, nor can it be considered as notification under the Hedgerow Regulation 1997, due to its location within a built-up residential area. As such the Local Planning Authority has no power to require their retention.

5.4.2 Replacement fencing

The existing replacement fence has been reduced to 2 metres in height, and is considered to be Permitted Development under Class A, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and therefore planning permission is not required.

5.4.3 Works have commenced on site

The current planning regime allows for applications for planning permission to be determined retrospectively once work has commenced. They must be assessed on their own merits the same as if works had not commenced. The applicant has been made aware of this and advised that if planning permission is not forthcoming the works he has undertaken would be abortive and may have to be removed with any works undertaken at the owner's risk.

5.4.4 Advertisement of application

The site notice was replaced on two separate occasions and additional rounds of public consultation carried out via letter once amended plans were received. As such the Local Planning Authority has met the requirement of the adopted statement of community involvement.

6.0 Section 106 Heads of Terms

6.1 A Section 106 Agreement is not required in this instance.

7.0 Crime and Disorder

7.1 The proposed development raises no significant crime and disorder implications.

8.0 Human Rights Implications

8.1 Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

8.2 It is considered that no relevant Article of that act will be breached.

9.0 Summary

9.1 The outbuildings and terracing of the garden is considered appropriate in the context of this residential area, with appropriate screening in place to ensure no overlooking of neighbouring private amenity space occurs. The development comprised of materials found within the immediate street scene ensures there is no detrimental impact and preserves the surrounding Conservation Area and is well screened by the existing boundary treatment around the site.

- 9.2 As such the proposal complies with Core Strategy Policy EN1 and relevant guidance contained within Policies 7 - Requiring Good Design and 12 - Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
- 9.3 Concerns have been raised over the potential impact on the setting of heritage assets. However it is considered that the proposal by way of using appropriate materials has successfully mitigated against these negative impacts and will, on balance, have a positive impact on the area and preserve the historic character.
- 9.4 Potential noise issues are to be dealt with by way of condition to ensure the outbuildings remain incidental to the residential nature of the site. As such they are not considered to outweigh the policies referred to in this report.
- 9.5 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paragraphs 186-187 of the National Planning Policy Framework.

10.0 Recommendation

10.1 Approve subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Drawing Number 001 amended site location plan received 01-04-2015

Drawing Number 003 amended section plan received 01-04-2015

Amended floor and elevation plan received 01-04-2015

Amended Block plan received 01-04-2015

Reason: To define the permission and for the avoidance of doubt.

11. Background Information

11.1 Representations Received

11.2 Colsterworth and District Parish Council:

SKDC Planning must ensure that they fully investigate the issues raised by the local residents who have contacted you directly. The parish council trusts that SKDC Planning ensure that the building and landscaping works being carried out:

a) Meet planning regulations compliant with the plans submitted

b) Compliant with the Colsterworth Conservation Area document 1997

It is important that the local character of the hamlet of Woolsthorpe by Colsterworth is maintained.

12.0 Representations as a Result of Publicity

12.1 The application has been advertised in accordance with the Council's Adopted Statement of Community Involvement relevant to this type of planning application.

12.2 Neighbours have been notified of the application and a site notice posed. The latest period for receipt of comments expired on 23 June 2015.

12.3 Six letters of representation have been received from local residents, some residents have commented more than once. The comments made are summarised below:

- Impact on Conservation Area and Woolsthorpe Manner
- Removal of Hedges and replacement fencing not in accordance with Character Appraisal for Woolsthorpe by Colsterworth Conservation Area

- Works have commenced on site
- Not advertised correctly.

13.0 Policy Framework

13.1 Planning legislation requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Relevant national and local policies in respect of the proposed development are as follows:

13.2 National Planning Policy Framework:

13.2.1 Section 7. Requiring good design – Paragraphs 56 to 68 requires new development to be of high quality design which is appropriate for the character of the area and the way it functions and makes use of all available opportunities to enhance it. Whilst local distinctiveness is encouraged, planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. It is emphasised that good design goes beyond the visual appearance of individual buildings and includes among other things, connections between people and places, and integration with the historic, built and natural environment. Planning permission should be refused for developments which are considered to be of poor design.

13.2.2 Section 12. Conserving and enhancing the historic environment

13.2.3 The NPPF (March 2012) contains current government guidance on the conservation and enhancement of the historic environment. Paragraph 132 of the NPPF states that “When considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset’s conservation.

13.2.4 (Paragraphs 128-129, 131-132) – Requires local planning authorities to take into account the significance of any heritage assets affected and the impact on their settings. If harm is identified the relevant tests should be applied. The desirability of development providing an enhancement to the historic environment is also emphasised.

13.2.5 In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

13.2.6 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

13.3 South Kesteven District Council Core Strategy 2010:

13.3.1 Policy EN1: Protection and Enhancement of the Character of the District - Requires that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.

14.0 Relevant Site History

14.1 S04/1092 Erection of bungalow. Approved conditionally October 2004.

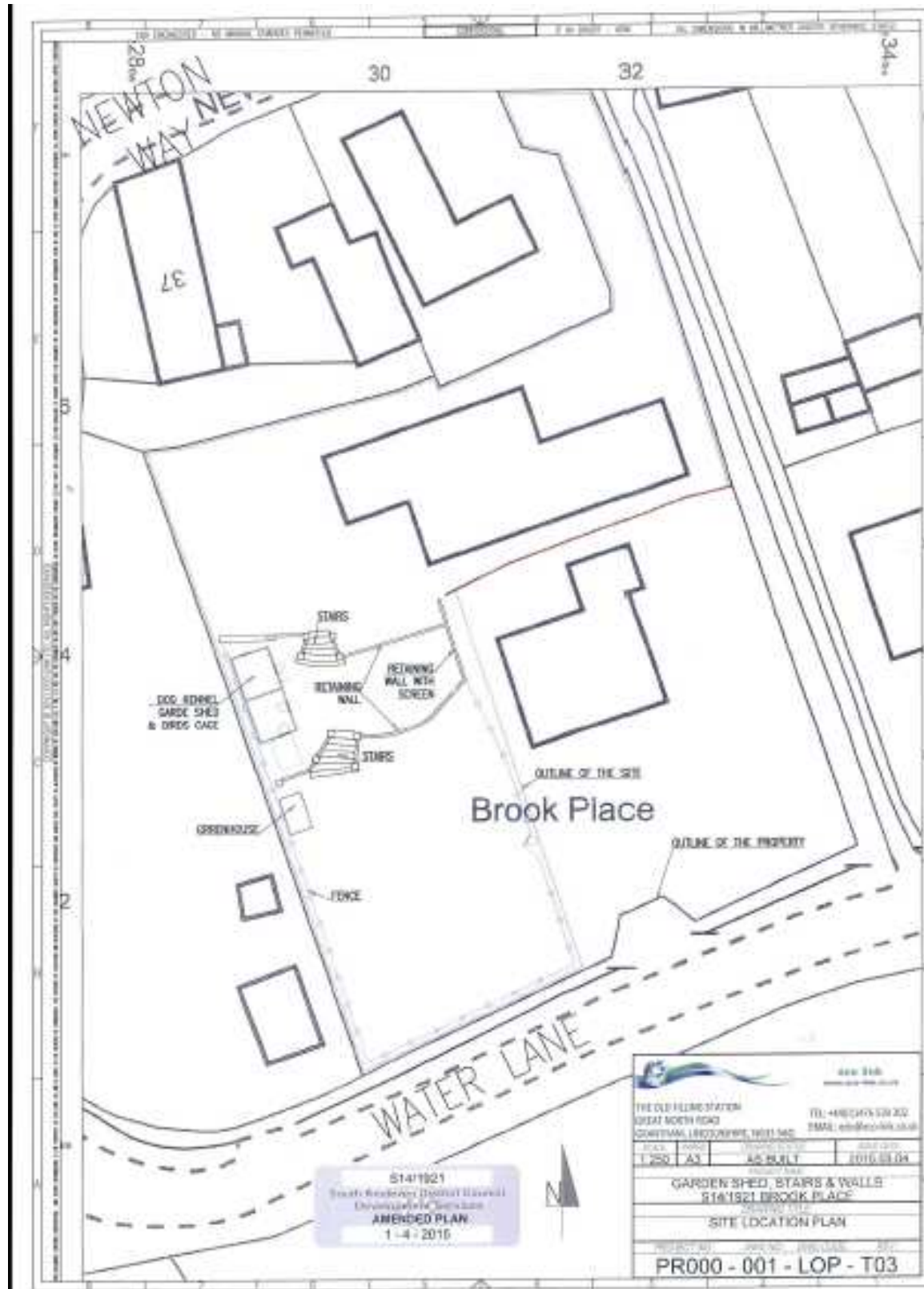
14.2 S14/2275 Prior Approval Notification for works to trees. Allowed September 2014.

15.0 SKDC Corporate Priorities

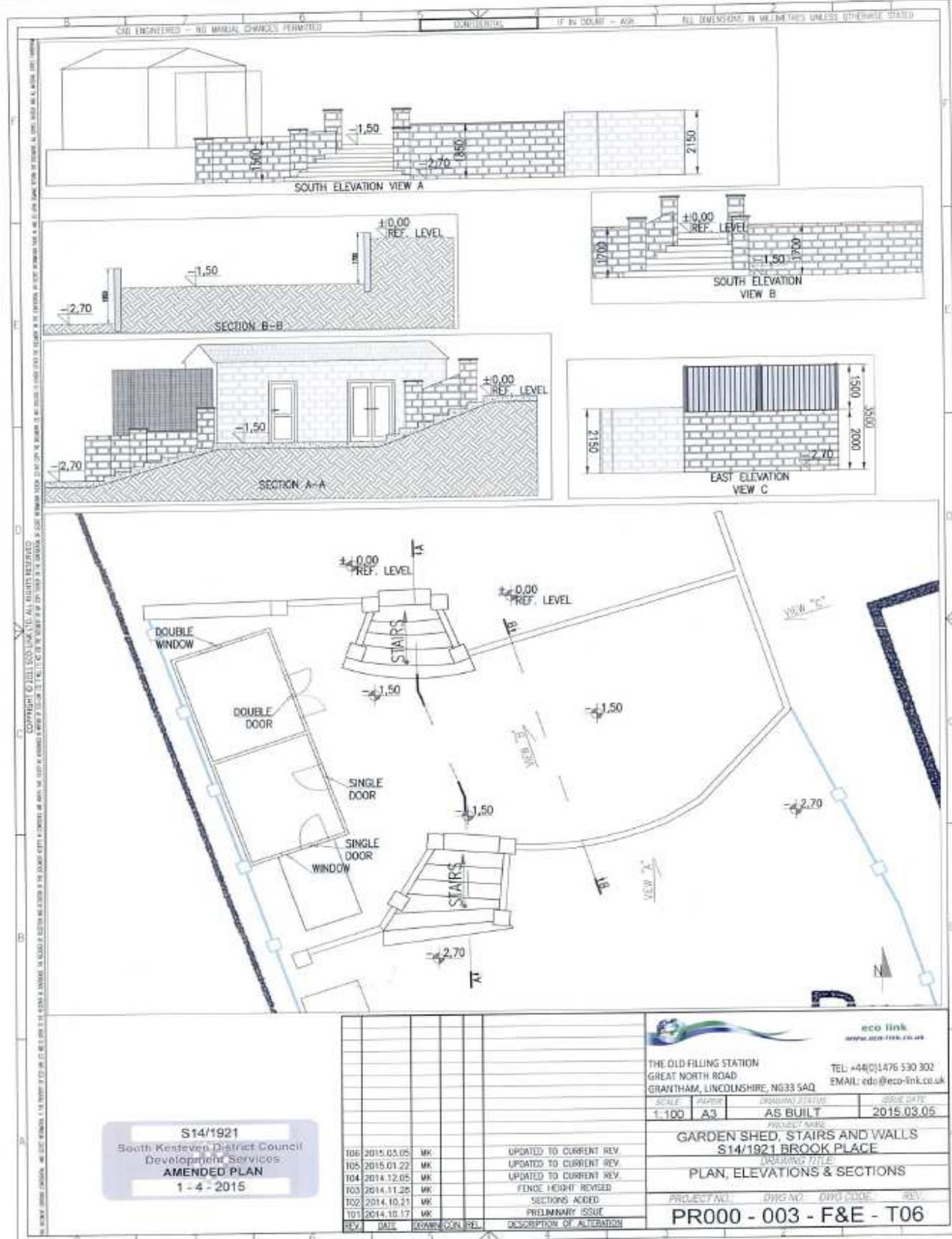
15.1 It is considered that the proposal supports the Council's Corporate Priority good housing for all.

Plans

Location Plan



Elevations



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S14/1921
 South Kesteven District Council
 Development Services
AMENDED PLAN
 1 - 4 - 2015

REV	DATE	DRAWING NO.	REL.	DESCRIPTION OF ALTERATION
T06	2015.03.05	MK		UPDATED TO CURRENT REV
T05	2015.01.22	MK		UPDATED TO CURRENT REV
T04	2014.12.05	MK		UPDATED TO CURRENT REV
T03	2014.11.26	MK		FENCE HEIGHT REVISED
T02	2014.10.11	MK		SECTIONS ADDED
T01	2014.10.17	MK		PRELIMINARY ISSUE


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SCALE	A3	DRAWING STATUS	ISSUE DATE
1:100		AS BUILT	2015.03.05

PROJECT NAME
GARDEN SHED, STAIRS AND WALLS
S14/1921 BROOK PLACE
 (DRAWING TITLE)

PROJECT NO.	DWG NO.	DWG CODE	REV.
PR000 - 003 - F&E - T06			
